

1960

CONGRESSIONAL RECORD — HOUSE

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The SPEAKER. Without objection, it is so ordered.

There was no objection.

CORRECTION OF THE RECORD

Mr. ASPINALL. Mr. Speaker, on pages 10871 and 10872 of the CONGRESSIONAL RECORD of June 2, 1960, there appears a letter of May 5, 1960, from the Department of Agriculture, which I submitted for the Record in connection with the consideration of the bill H.R. 10572. The Record has my name as the signer of that letter. I ask unanimous consent that the permanent Record be corrected to show the signer as E. L. Peterson, Assistant Secretary.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

RED CHINA

(Mr. WOLF asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WOLF. Mr. Speaker, there has been considerable misunderstanding about a working paper prepared at the request of a group of U.S. Congressmen, designed for discussion, modification, and improvement, which was misinterpreted in an Associated Press report, in which my name was involved, dealing with the question of Red China. There was also a misunderstanding in the AP report on the question of a unified Germany. I want the record to clearly show that I have never been in favor of diplomatic recognition of Red China. I voted against diplomatic recognition in the Zablocki House Concurrent Resolution 369 on August 17, 1959.

During the past decade Red China has emerged as the most highly organized and the most powerful nation in Asia, with one-fifth of the world's population—600 million people strong, dominated by the bloodiest government in the world today. We simply cannot close our eyes and pretend it is not there, for it is an accomplished fact, whether we like it or not. We look to Eastern Europe—Russia—in apprehension and fail to realize that the Communist writers have said that the way to world victory is through Peiping. This is what we must recognize about Red China. It is there; it is organized for world conquest, and it can very well be a far greater threat to us than Russia. In my opinion, the interests of the United States and of world peace demand a drastic revision in our thinking regarding the bloody government in China.

A recent poll of the United States conclusively demonstrated that the American people are more concerned about the question of peace and the fear of nuclear destruction than any other one consideration. I am convinced that any problems which the United States may face are pale by comparison with this constant and ever-present danger of nu-

clear war. Any discussion at Geneva on the question of disarmament is only a verbal exercise with no meaning unless it includes Red China, and the Russians cannot speak for Red China.

Just yesterday some facts were made available to me which prove conclusively that the Russians are transferring much of their research and development equipment into northwest China in anticipation of reaching some agreement at Geneva. I was told that within 1 year it is very likely that Red China will explode her own atom bomb and so the nuclear club grows ever larger.

Mr. Speaker, this is the reason why I say that the survival of the human race dictates that we open channels of communication with the leaders of Red China. I do not advocate diplomatic recognition of Red China—I do not believe it is necessary. As to what “opening of channels” means—I should like to point out that in Warsaw for several years now there have been discussions between our special Ambassador in Poland, Jacob Beame, and the Communist Chinese Ambassador to Poland. That is one channel of communication, and it was established by the Eisenhower administration. Other such channels are now absolutely necessary. The late John Foster Dulles at one time encouraged opening the lines of communication with the People's Republic of China.

You may ask why other lines of communication are necessary. The answer depends on whether we are really serious about our hopes for disarmament and of preventing China and a dozen other nations from getting the atomic weapons which would be so dangerous to us. If we are really serious, we will have to have inspection stations in China, we will have to make sure the Russians do not simply transfer their tests and their weapons and even their soldiers to Chinese soil. How can we make sure the Communists do not cheat in this fashion? Obviously, we have to talk with the Chinese about where and when inspection stations should be set up, about the size of Chinese armies, about all the things that constitute a disarmament agreement. If we are going to talk with them about these things, we have to “broaden the channels of communication.”

Let Red China demonstrate a sincere desire for real consideration of nuclear inspection at Geneva. If she will cooperate there, then the channels of communication will have been broadened, but under no circumstances would an agreement with Russia on nuclear inspection be meaningful unless we insist that Red China abide by the agreement, too. This can come about only if Red China is represented at the Geneva Conference.

When I say we need to increase our communication with the Communist Chinese, it is not because I trust them or like them, it is because I do not trust them. It is because I would not trust them as far as I could throw a dragon and a bear together with one hand. It

is because it is absolutely necessary to keep a close eye on the Chinese that we have to talk with them about how to set up the eye that will be watching.

The working paper is a 44-page document and discusses various aspects of U.S. foreign policy. Its closing paragraph states as follows:

This document represents a general consensus of those who offer it for the consideration of their colleagues and constituents, without binding any individual to every specific recommendation therein contained. Indeed, it is the hope of those who present it, that the outline of policy here suggested will be improved by discussion and modified in accordance with rapidly changing circumstance.

CORRECTION OF ROLL CALL

Mr. DENTON. Mr. Speaker, rollcall No. 69 shows that I did not vote. I was present and voted “yea.” I ask unanimous consent that the permanent Record be corrected accordingly.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

(Mr. HOFFMAN of Michigan asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

[Mr. HOFFMAN of Michigan addressed the House. His remarks will appear hereafter in the Appendix.]

WAGE BOARD INJUSTICE

(Mr. MUMMA asked and was given permission to extend his remarks at this point in the Record and include a letter.)

Mr. MUMMA. Mr. Speaker, with the most recent blue collar wage boost going into effect around June 10 for those Federal employees under the Wage Board pay system, the main source of complaint between the various Federal pay systems has once again caused annoyance among the other employees at Federal installations.

In and around my 16th Congressional District in Pennsylvania, such activities will be affected as Indiantown Gap Military Reservation, Veterans' Administration hospital at Lebanon, Olmsted Air Force Base which has 10,000 employees, Mechanicsburg Naval Supply Depot, and New Cumberland Army Depot.

Mr. Speaker, one of the bones of contention that seems to be involved in this whole situation is that the ultimate effect of the wage board system results in unskilled workers getting more than skilled employees. The attendant cleaning employee restrooms is making more than the typists and stenographers.

On more than one occasion, President Eisenhower has brought this problem to the fore. In his last two budget messages, he reiterated what a conglomeration of pay plans are in effect for employees of the Federal Government. In

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addition to pointing out the divergent ways utilized for paying Uncle Sam's workers, he called for corrective action for which I still hold out strong hope that something will be done, and soon.

I have taken up this wage board matter with the House Committee on Post Office and Civil Service, and now again I received another complaining letter about the injustices of the wage board pay system. This time from Mr. V. J. Fogarty of 2120 Chestnut Street, Harrisburg, Pa.

Mr. Fogarty sets forth in his letter to me a short tabulation reflecting the comparative annual rates, 1940 to 1960, which show the disparity caused by the wage board pay system to the classified pay system.

Mr. Speaker, that letter follows herewith:

Comparative annual rates, 1940-60

1940			
Ungraded rating and 1st step pay rate		Graded pay level (steps)	
Laborer (cleaner).....	\$1,248	Equated to GS-1, \$1,260 (1st).	
Machinist.....	2,080	Equated to GS-5, \$2,000 (1st).	
1960			
Laborer (cleaner).....	\$4,576	Equates to GS-6, \$4,400 (1st).	
Machinist.....	5,907	Equates to GS-8, \$5,920 (4th).	

I realize that you have many problems on your mind and that my letter could be construed as a gripe. My main concern in writing you is to bring these inequities to your attention with the hope that you, as a fair and just individual, will do what you can to set things right.

Your support would be much appreciated.
Sincerely,

V. J. FOGARTY.

THE POSTAL PAY INCREASE BILL

The SPEAKER. Under previous order of the House, the gentleman from Illinois [Mr. O'HARA] is recognized for 60 minutes.

Mr. O'HARA of Illinois. Mr. Speaker, it is my present intention to take all of the 60 minutes, but if at any time I should hear that there are enough names on that petition I might be disposed to stop.

Mr. Speaker, I have always been frank and honest with my colleagues. I am speaking today because I am interested in the welfare of the postal workers of the United States of America. I hope that in the wisdom of the Members of Congress justice will be done the postal workers and that they will be given the wage increase too long withheld from them and which is more than justified; and I hope, Mr. Speaker, that the vote in this body and the other body for that bill when it comes up for action will be so overwhelming that no one will consider for a moment attaching a veto to that bill.

Mr. Speaker, I have been around this old world of ours a long time, and I have found in my youth, in my prime, and now in my age that people pretty generally divide into two groups.

Those who have red blood in their veins, those who have a spiritual sense,

HARRISBURG, PA., May 26, 1960.
The Honorable WALTER M. MUMMA,
Congress of the United States,
House of Representatives,
Washington, D.C.

MY DEAR CONGRESSMAN MUMMA: I am seeking your support of pay legislation for Government employees. The threat of a Presidential veto on a pay raise for Government employees has prompted me to write you and solicit your support in correcting an injustice which has been brought about by the Congress of the United States.

Basically, there are two pay systems in effect:

1. White-collar workers who are generally covered by the Classification Act of 1949.
2. Wage board employees whose wages are governed by wages paid by private industry in the immediate area.

I wish to point out a few inequities that have been created as a result of the two systems over the past 20 years:

those who feel the impulses of the heart are in one group. In the other are those who have in their veins not red blood, but ice water.

I do not know why there should have been this long delay in bringing up the postal raise bill and I want to say right here that there is nobody in this world who personally has a higher and more affectionate regard for my colleague, Chairman MURRAY, than have I. We may disagree on some things but I have always had for him a great affection and a great appreciation. When I sign a discharge petition I feel that I am not implying any reflection on or raising any question of the chairman of a committee or the members of a committee.

I listened the other day to one of our colleagues who said that he had never signed a discharge petition, but he was going to do so because he had made out a case of malfeasance or nonfeasance, in other words, building up a case against the committee or the chairman of a committee to give him an excuse for signing a discharge petition.

Mr. Speaker, if I had to do that I never would sign a discharge petition. I shall accord always to my colleagues the same respect for their sincerity as I expect in return.

Mr. HOFFMAN of Michigan. Mr. Speaker, will the gentleman yield?

Mr. O'HARA of Illinois. I am very happy to yield to my good friend from Michigan.

Mr. HOFFMAN of Michigan. My good friend from Chicago was here when the gentleman made that statement, so was I, and I think he and I and the Presiding Officer were the only ones in the Hall at that time.

Mr. O'HARA of Illinois. There may have been one or two others.

Mr. HOFFMAN of Michigan. I think the gentleman's argument is sound but, assuming I was going to sign the petition, would I not have a semblance of independence if I waited until the bosses in the gallery got out and I signed it after they were gone?

Mr. O'HARA of Illinois. Under the rules we are not supposed to refer to people in the gallery.

Mr. HOFFMAN of Michigan. There are not very many up there.

Mr. O'HARA of Illinois. When I look up in the gallery and see schoolchildren and other people coming to the Capitol of our country, I am glad, and I am happy when anybody is in the gallery.

Mr. HOFFMAN of Michigan. I am, too.

Mr. O'HARA of Illinois. Of course you are.

Mr. HOFFMAN of Michigan. They have a perfect right to be there, and it gets us an audience a lot of times when our colleagues would not waste their time listening. I am happy to have them in the gallery, but would it not give me a greater semblance of independence if I waited before I followed out their orders, until they were gone?

They do not have to watch me. If I promise, I will do it.

Mr. O'HARA of Illinois. The gentleman from Michigan has never suffered from lack of independence. I do not know of any man in this Congress who has been more independent, and he does not play favorites.

Mr. HOFFMAN of Michigan. The gentleman came from the same community I come from. I am glad he did not stay there, because if he had perhaps I would not have been elected to the House.

Mr. O'HARA of Illinois. The reason I left the gentleman's district is I was a young fellow, and at that time we had only one Democrat, just one Democrat in the entire Legislature of Michigan.

Mr. HOFFMAN of Michigan. That was one too many.

Mr. O'HARA of Illinois. And I said that that was no place for me. I had better be getting out when I had enough years ahead of me.

No, Mr. Speaker; I do not like anyone to advance the thought when you sign a discharge petition you are reflecting upon the chairman or the members of a committee.

Now, my concept of it is this. There is talk that because of the Committee on Rules we are all bottled up in this House. To me there is nothing to that at all because under the rules, when a majority of the Members of this House are in favor of some legislation and they want it, the means are provided. All you do is to sign a discharge petition.

When we have such a rule as that, we have complete democracy here and the instrumentality for its functioning. So, I signed this discharge petition because I believe that the cause of the postal workers is a good cause, and I do not think that anyone can very much question that. And, I have never found in my long experience in public life that there is anything in the way of a so-called pressure group that has any force unless behind it is public sentiment.

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Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. O'HARA of Illinois. I yield to the gentleman from Iowa.

Mr. GROSS. Now, the gentleman surely knows that this bill goes far beyond a pay raise for field postal workers which I support. The gentleman surely knows that legislative employees, judicial employees, foreign service employees, supergrades, and all the rest are in this bill. The gentleman knows that, does he not?

Mr. O'HARA of Illinois. I wonder if my good friend from Iowa is seeking to say that justice should not be done to a great majority of the people, because here and there somebody sneaks under the tent, some isolated case, and therefore you deny justice to a great number of people that are deserving.

Mr. GROSS. The gentleman must understand—certainly he ought to—that postal workers are but one-third of those involved in this bill, and only one-third. Does the gentleman think that legislative employees are suffering, particularly at the other end of the Capitol, where some of the employees make \$16,000 to \$17,000 a year? Does he think they are suffering and need a 9-percent increase whereas a \$4,000-a-year postal worker would get the same 9 percent but a fraction of the increase? If he does, I certainly disagree with him.

CALL OF THE HOUSE

Mr. HOFFMAN of Michigan. Mr. Speaker, a point of order. As long as there is something worthwhile listening to, I make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

Mr. McCORMACK. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 117]

Abbutt	Dorn, N.Y.	Jones, Ala.
Alford	Dorn, S.C.	Kasen
Allen	Doyle	Keith
Anderson,	Duiski	Kelly
Mont.	Durham	Keogh
Anfuso	Dwyer	Kilburn
Arends	Edmondson	King, Utah
Ashmore	Fallon	Kitchin
Auchincloss	Farbstein	Kowalski
Bailey	Fino	Lafore
Baker	Flood	Lane
Barden	Flynn	Libonati
Barfett	Flynt	Lindsay
Barry	Fogarty	McDonough
Becker	Foley	McDowell
Bolling	Forand	McIntire
Bowles	Frelinghuysen	Madden
Brewster	Fulton	Matthews
Brown, Mo.	Garmatz	May
Buckley	Gary	Meador
Burdick	Gilbert	Metcalf
Cahill	Gray	Miller, Clem
Canfield	Griffiths	Miller,
Carnahan	Gubser	George P.
Celler	Hayes	Miller, N.Y.
Chamberlain	Healey	Monagan
Coad	Hebert	Montoya
Coffin	Herlong	Moore
Cook	Hess	Morgan
Curtis, Mo.	Hoffman, Ill	Morris, Okla.
Dawson	Holland	Moulder
Delaney	Holt	Multer
Dent	Holtzman	Nelsen
Derounian	Jackson	Nix
Derwinski	Jarman	O'Brien N.Y.
Dingell	Jennings	O'Neill

Passman
Pelly
Perkins
Frost
Philbin
Pilscher
Powell
Price
Prokop
Quile
Riley
Rogers, Mass.
Rostenkowski
Santangelo
Saund

Shelly
Sheppard
Smith, Miss.
Spence
Springer
Staggers
Steed
Stubblefield
Taylor
Teller
Thomas
Thompson, N.J.
Toll
Tuck
Udall

Utt
Vanik
Van Pelt
Van Zandt
Wainwright
Wampler
Westland
Wharton
Whitten
Williams
Willis
Wilson
Yates
Young
Zelenko

The SPEAKER pro tempore (Mr. ALBERT). On this rollcall 281 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

THE POSTAL PAY INCREASE BILL

The SPEAKER pro tempore (Mr. ALBERT). The gentleman from Illinois is recognized.

Mr. O'HARA of Illinois. Mr. Speaker, may I inquire how much time I have remaining?

The SPEAKER pro tempore. The gentleman has consumed 10 minutes.

Mr. O'HARA of Illinois. Mr. Speaker, the gentleman from California [Mr. HOLIFIELD] has a special order following mine. He has a meeting of a committee at 2 o'clock. In view of that, if it is proper, Mr. Speaker, I would ask unanimous consent that the gentleman from California may speak now and at the conclusion of his special order that I may resume mine.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

Mr. SAYLOR. Mr. Speaker, I object.

Mr. O'HARA of Illinois. Mr. Speaker, I have done my best to be gracious to my colleague from California. I would have been very happy to have given way to him, but as there has been objection I must proceed for the next 50 minutes.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. O'HARA of Illinois. I yield to the gentleman from Iowa.

Mr. GROSS. If the gentleman is going to proceed with his remarks I want the RECORD to show that I am on the floor listening to the gentleman.

Mr. O'HARA of Illinois. I may say, Mr. Speaker, I have never known the gentleman from Iowa to leave the floor. I know he is on the floor. There is no Member of this body who is more alert at all times than the gentleman from Iowa. I am glad to number him among my very dear friends.

I may say to the gentleman he helped out a little bit. I did want a quorum, and they tell me some 8 or 10-signatures have been added to the petition since the beginning of the rollcall, so I am grateful to the gentleman, for he worked in a good cause.

Mr. GROSS. If the gentleman will yield, he understands that I did not cause the rollcall.

Mr. HOFFMAN of Michigan. Mr. Speaker, will the gentleman yield?

Mr. O'HARA of Illinois. I yield to the gentleman from Michigan.

Mr. HOFFMAN of Michigan. I made it because I wanted the boys to have an opportunity to show their loyalty, to get down here; and I would like to thank the gentleman sincerely now for yielding to me on other occasions earlier today. I hope you will say a good word when you get over to Benton Harbor and help in behalf of my reelection.

Mr. O'HARA of Illinois. Yes, I expect when I go to Benton Harbor and St. Joe again, to tell them of this dramatic day and how it ended when the gentleman from Michigan, the Honorable Clare Hoffman, came up as the 219th person to sign the discharge petition.

Mr. HOFFMAN of Michigan. Mr. Speaker, will the gentleman yield?

Mr. O'HARA of Illinois. I shall be delighted to yield to my friend.

Mr. HOFFMAN of Michigan. Knowing you as I do, if I had some of the same admirable characteristics the gentleman has, I would expect to walk down while some of the bosses sat up there, but would not the gentleman want me to show how independent I was if I waited until they were gone before I went up and signed?

Mr. O'HARA of Illinois. I will tell the gentleman what I will do; I will have a large umbrella brought over, a large colored umbrella, and I will hold it over the gentleman while he signs the petition.

Mr. HOFFMAN of Michigan. And you will have another flood like Noah's.

Mr. MASON. Do not bring my name into this.

Mr. SMITH of Virginia. Mr. Speaker, will the gentleman yield?

Mr. O'HARA of Illinois. I am very happy to yield to the gentleman from Virginia.

Mr. SMITH of Virginia. I understood from the gentleman's opening remarks that he was holding the floor in order to give reluctant Members a last opportunity to sign the petition that has been lying on the desk since yesterday to discharge the Rules Committee from further consideration of a House bill.

I want to make it clear to those Members who did not take the opportunity to read the rule from which they are discharging the committee, before they rush headlong to the desk I want them to understand thoroughly what they are doing and will doubtless do during the next few minutes. They will be bringing up a gag rule under which no Member will have an opportunity to offer any amendment or do anything about it.

It even provides that the bill cannot be read. It must be considered as read. No amendments may be offered. The House has no opportunity to work its will on the bill. I am wondering if the gentleman believes in that kind of legislation because, as chairman of the Rules Committee over the years, and as a member of it for the past 25 years, I have heard Members who regard themselves in this House as great liberals complain bitterly whenever a rule came to the House floor in which the Members of the House were gagged from working their will on the legislation.

I do not know how many Members took the trouble to read this resolution before they made the headlong rush to sign the petition. My purpose in interrupting the gentleman is to let the House be aware so that nobody can say after this petition has been signed up that "I did not know I was gagging myself and the rest of the House on amendments to this bill, I did not know this bill comes here with a prohibition against the House even reading the thing that we are supposed to be voting on."

Mr. WIER. Mr. Speaker, will the gentleman yield?

Mr. O'HARA of Illinois. I yield to the gentleman from Minnesota.

Mr. WIER. Will the gentleman from Virginia yield?

Mr. SMITH of Virginia. I do not have the floor, but I will be glad to converse with the gentleman.

Mr. WIER. Well, 12 years here has proven to me that we do not agree on the imprisonment of bills in the Rules Committee and we have only one alternative and that is to do it this way.

Mr. SMITH of Virginia. Yes.

Mr. WIER. We waited patiently here for many bills to come out of the Rules Committee. There is no other alternative but to do this, and, speaking of a closed rule, as I understand this petition is, that is not new around here either. Closed rules have come out quite often; gag rules, if you please. The gentleman is not bringing up anything new. I have signed that petition willingly because that is the only recourse I have.

Mr. THOMPSON of Louisiana. Mr. Speaker, will the gentleman yield?

Mr. O'HARA of Illinois. I am happy to yield to any of my colleagues.

Mr. THOMPSON of Louisiana. May I say to the distinguished chairman of the Rules Committee that we all have a high regard for the Rules Committee of the House. It might be understood also that everyone has had an opportunity to read this legislation, everyone knows the burden of the Government workers, whom we all depend on, even in our own offices, who have been laboring over the years, and in the United States of America the majority still rules. The disposition of this discharge petition will be left to the membership of the House, if a sufficient number of Members sign the petition. I think that the Rules Committee should certainly feel that we have acted in good order and under the rules of the House.

Mr. BUDGE. Mr. Speaker, will the gentleman yield?

Mr. O'HARA of Illinois. I am happy to yield to the gentleman.

Mr. BUDGE. Mr. Speaker, I wonder if the gentleman from Virginia, the distinguished chairman of the Rules Committee, would inform the House just how many days the salary legislation has been before his committee? When was the request for a rule received by the chairman of the committee?

Mr. SMITH of Virginia. I would have to speak from recollection on that, and I think my recollection is pretty good. The resolution came to the Committee on Rules before we even had an opportunity to discuss it. This gag rule was

filed as a preliminary to the petition. My own position in that situation with respect to that bill is the same as it would be with respect to any other bill. The Members of the House have an option under the rules of the House. They can either go to the discharge petition or they can ask the committee to give the bill consideration. Having chosen to discharge the Rules Committee I did not think it was up to the Rules Committee to take any further action. They were entirely within their right in signing it. I have listened carefully to the alibi of the gentleman from Louisiana and the gentleman from Minnesota. They are entirely right in what they say about the right of the Members of the House to do this if they want to do it. My only purpose in rising here was to inform the Members who did not take the trouble to read that document of one page in which they were discharging the Rules Committee just what they were doing.

I want them to know that they are asking for a rule which gags them and gags everybody else in the House so that you cannot even offer any amendment to the bill. Now, that is all I rose for, so that everybody would know and so that there could not be any alibi that "I did not know what I was signing." I want it clearly understood that I am not criticizing the gentlemen for pursuing their course, but I do think I am justified in saying, as long as the question has been raised by the gentleman from Minnesota, that the Committee on Rules has held many, many, many hearings on bills. I think the gentleman ought to examine the record, because where we have held up 1 bill we have granted rules on 20. And there are several bills up in the Committee on Rules right now—I have a list in my pocket—that are ready for consideration, and most of them will be considered just as rapidly as can be done.

Mr. O'HARA of Illinois. I would like to say to the gentleman from Virginia that now that he has had his opportunity to make his presentment to his colleagues on the floor, the gentleman from Virginia always does a masterful job in explaining matters. I think the gentleman from Virginia will have no feeling of resentment against any Member of this body who signs the discharge petition.

Mr. SMITH of Virginia. May I interrupt? I think I made that clear. I think the gentlemen who have signed the petition have followed the rules of the House. Nobody has a right to question what they did.

Mr. O'HARA of Illinois. I am sure that was the position of the gentleman from Virginia.

Mr. BUDGE. Mr. Speaker, will the gentleman yield further?

Mr. O'HARA of Illinois. I will be happy to yield.

Mr. BUDGE. The chairman of the Committee on Rules did not quite answer the inquiry which I addressed to him. I do not believe there is anyone in this Chamber who feels that the person who signs a discharge petition is not fully within his rights. That is not

what the gentleman from Virginia was talking about. I think it should be pointed out—and I am also speaking from recollection—that the chairman of the Committee on Rules has not been derelict in his duty. The report on the bill, if my recollection is correct, was not filed until the 24th day of May, either the 25th or the 24th day of May. Now, this bill was introduced in July of last year; introduced in the House. The Committee on Rules and the chairman of the Committee on Rules have had something like 10 days supervision over this legislation. Now, if that is being dilatory, I think we should perhaps redefine the word.

Mr. MORRISON. Mr. Speaker, will the gentleman yield?

Mr. O'HARA of Illinois. I will be happy to yield.

Mr. MORRISON. I would like to make this point only as to the time and as to just exactly what was done on behalf of our committee. The chairman of our committee was opposed to this legislation, and therefore it was incumbent upon me as the ranking member of the committee to file a report and ask for a rule. I wrote a letter to the chairman of the Committee on Rules. And, I want to say at this time I am sure I felt the same way as every other Member of this House, that we respect and hold the Committee on Rules in high regard, as we do its very distinguished and very able chairman. Bearing that in mind, I wrote a letter and explained exactly to the chairman of the Committee on Rules that it was necessary to take this legislation up as quickly as possible if we were going to act on this legislation before adjournment. I went into detail. And, further, the report showed that only two members of our committee signed the minority report; that the vote was overwhelming in favor of this legislation by our committee and it had been carefully and timely considered. Every witness that wanted to had been heard by our committee on this legislation. We took it up with due diligence after all the testimony was heard. I explained all that in the letter to the chairman of the Rules Committee. I not only wrote the chairman, but I wrote every member of the Committee on Rules and enclosed a copy of the letter which I sent to the honorable chairman, Mr. SMITH, of the Committee on Rules. Since the chairman and the Rules Committee chose to take no action on this bill, that if this House is to have a fair opportunity to vote on this legislation, the only way it can do so is by signing this discharge petition. I understand they only need eight more signatures on it. I personally want to extend any Member who has not had an opportunity to do so an invitation to sign the discharge petition. It is right up there on the desk and I invite anyone who so desires to go up there and sign it so the full House can consider this important legislation.

CALL OF THE HOUSE

Mr. HOFFMAN of Michigan. Mr. Speaker, I make the point of order that a quorum is not present.

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The SPEAKER pro tempore (Mr. ALBERT). The Chair will count. [After counting.] One hundred and seventy eight Members are present, not a quorum.

Mr. MILLS. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 118]

Abbitt	Flynn	Morgan
Alford	Fogarty	Morris, N. Mex.
Alger	Foley	Morris, Okla.
Allen	Forand	Multer
Anderson,	Frelinghuysen	Neisen
Mont.	Fulton	Nix
Anfuso	Garmatz	O'Brien N.Y.
Arends	Gary	O'Neill
Ashley	Gathings	Passman
Ashmore	Gray	Pelly
Auchincloss	Griffiths	Perkins
Ayres	Gubser	Pfost
Baker	Hardy	Pilcher
Barden	Harmon	Powell
Barrett	Harrison	Price
Bass, N.H.	Hays	Prokop
Becker	Healey	Quie
Boggs	Hébert	Riley
Bolling	Herlong	Rivers, S.C.
Bosch	Hess	Rogers, Mass.
Bowles	Hoffman, Ill.	Rooney
Brewster	Holt	Rostenkowski
Brown, Mo.	Holtzman	Santangelo
Buckley	Ikard	Saund
Burdick	Jackson	Schneebell
Byrne, Pa.	Jarman	Shelley
Cahill	Jennings	Sheppard
Canfield	Jones, Ala.	Sikes
Carnahan	Keith	Smith, Calif.
Celler	Kelly	Smith, Miss.
Chamberlain	Keogh	Spence
Clark	Kilburn	Staggers
Coad	King, Utah	Steed
Coffin	Kitchen	Stubblefield
Cook	Lafore	Taylor
Coolley	Lane	Teague, Calif.
Curtis, Mo.	Lankford	Teague, Tex.
Dawson	Libonati	Teller
Delaney	Lindsay	Thompson, N.J.
Dent	McDonough	Toll
Derounian	McDowell	Tuck
Derwinski	McIntire	Udall
Diggs	Machrowicz	Utt
Dingell	Madden	Van Pelt
Dorn, N.Y.	Maillard	Van Zandt
Dorn, S.C.	Matthews	Wainwright
Downing	May	Wampler
Doyle	Meador	Westland
Dulski	Metcalfe	Wharton
Durham	Miller, Clem	Whitten
Dwyer	Miller,	Williams
Edmondson	George P.	Willis
Fallon	Miller, N.Y.	Wilson
Farbstein	Monagan	Yates
Fino	Montoya	Young
Flood	Moore	Zelenko

The SPEAKER pro tempore. On this rollcall 265 Members have answered to their names, a quorum.

By unanimous consent further proceedings under the call were dispensed with.

THE POSTAL PAY INCREASE BILL

The SPEAKER pro tempore. The gentleman from Illinois is recognized.

Mr. MORRISON. Mr. Speaker, will the gentleman yield?

Mr. O'HARA of Illinois. I shall be happy to yield to the gentleman from Louisiana.

Mr. MORRISON. As I was stating just before the quorum call, the chairman of the Committee on Rules emphasized and laid great stress on this being a gag measure. In my humble opinion I do not know of any Member who has the full power to say whether or not this legislation can come out under an open rule allowing amendments or a closed

rule than the chairman, Mr. SMITH. If he had granted a hearing before the Rules Committee, there could have been an open rule. As I explained in my letter to him and to the members of the Rules Committee it was necessary to take action immediately. This is nothing new. The Rules Committee takes fast action on many bills. Sometimes the report is filed one day and the rule granted the next, or even in some cases on the same day.

But the chairman held the matter up and hence this discharge petition. If a rule had been granted there would be no need for this discharge petition. The chairman of the Rules Committee chose to delay, which made this discharge petition necessary.

Every member of the Rules Committee knew about the timing of this bill because I had so informed them, and it was filed a week ago this past Tuesday with the Rules Committee. More than 10 days had elapsed, and had they so chosen they could have granted a rule like they do on most bills allowing amendments under the rules of the House. But today the very gentleman who is complaining so much, the distinguished chairman of the Rules Committee, who is complaining so much about the gag rule that will govern if this discharge petition is signed, is the very one who could have prevented it.

I understand we need exactly six more Members to sign the discharge petition and that then this bill will come up under the discharge petition to be considered by the House before the adjournment of Congress. So I say that even now it is not too late. If the distinguished chairman of the Rules Committee desired to, I think he could call a meeting today and take this bill up if he saw fit.

I do not want anybody to feel that this legislation was not duly considered, because, the distinguished member of the Rules Committee, the gentleman from Idaho [Mr. Budge], explained, it has been pending since last January. Every witness who wanted to be heard was heard. The hearings closed on April 30. There was due deliberation by the committee, and after the bill was reported out some 3 weeks ensued in preparing the report which was occasioned by waiting for the signature of the two minority members who were against the bill.

So I do not see how in the world anybody can take the position that this legislation was in any way hurried or rushed because I know of no bill that was more fully, more adequately, and on which more time has been spent on its consideration, than on this bill.

The Rules Committee has its prerogative. If they choose they may report it, if they choose not to report it the other Members have the opportunity to sign a discharge petition, which is according to the rules of the House.

Certainly each Member of this House can judge as to whether he wants to sign the discharge petition or not. This bill can be considered by the House and duly voted on if 219 Members sign this discharge petition.

Mr. BUDGE. Mr. Speaker, will the gentleman yield?

Mr. O'HARA of Illinois. I yield to the gentleman from Idaho.

Mr. BUDGE. I am convinced that the Committee on Post Office and Civil Service has diligently performed its task of exploring all of the ramifications of this legislation, and that it spent a great deal of time in the consideration of this matter. As a matter of fact, the Committee on Post Office and Civil Service has taken almost a year, 11 months plus, to examine this legislation.

Now, it is a function of the Rules Committee not only to pass on the merits of the legislation, but also to determine the type of rule under which a bill shall be considered in the House of Representatives. The gentleman from Louisiana has just informed the House that the Rules Committee has had, including today, 10 days in which to deliberate upon a bill which took the distinguished members of the Committee on Post Office and Civil Service almost a year to consider.

In all fairness to the chairman of the Rules Committee, and to its much-beleaguered members, and I happen to be one, it seems to me to charge us with being delinquent in this instance is not borne out by the circumstances. Certainly when the gentleman's committee uses 12 months, we ought to take 12 days. But I do not question the right of any Member at any time to sign a discharge petition. That is under the rules of the House, and I would be the first to uphold those rules. But I do not feel anyone should charge in this instance that the Rules Committee has been dilatory.

I hope that the matter can be resolved so that instead of getting an issue we will get legislation. I recall a few years back when something rather akin to this procedure resulted in no legislation for the Government employees, for which I was sorry.

Mr. MORRISON. Mr. Speaker, will the gentleman yield?

Mr. O'HARA of Illinois. I yield to the gentleman from Louisiana.

Mr. MORRISON. I would like to say in answer to the distinguished gentleman from Idaho that the Rules Committee is a little different from the regular committees of the House in that we have to hear witnesses, scores of witnesses, we have to take a lot of testimony; sometimes we have to meet daily. The function of the Rules Committee is different. They hear one or two witnesses, they take the bill as reported by the committee, consider it and state whether it is going to come up under a closed rule, a gag rule, how many hours of debate may be had, and so forth, giving rules of procedure, all of which can be done in less than a day. Sometimes it has been done in 15 minutes.

Mr. O'HARA of Illinois. Mr. Speaker, I have been happy to yield to my colleagues here. It seems to me a useful purpose has been served. We have clarified the issue, whether it is proper to sign a discharge petition and, secondly, when you sign a discharge petition are you reflecting upon the Rules Committee

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or upon any other committee? I think the discussion we have had in which the distinguished and highly respected chairman of the Rules Committee has participated has brought out clearly that a discharge petition is a proper instrumentality in the functioning of this legislative body and that in signing a discharge petition there is no reflection upon the Rules Committee or upon any other committee. I understand there is general agreement that in signing a discharge petition you are merely participating in the wise procedure that permits the majority of this body to work its will. So, I am very happy that we have had this free and useful discussion.

Mr. SMITH of Virginia. Mr. Speaker, will the gentleman yield just briefly?

Mr. O'HARA of Illinois I yield.

Mr. SMITH of Virginia. During the interval of the rollcall I had opportunity to obtain the record from the Committee on Rules as to just what did happen about this. Of course, the Committee on Rules customarily receives a letter from the chairman of the legislative committee asking for a rule. That letter was received on the 25th day of May and replied to on the same day from the chairman. On the preceding day the committee received this letter that has been referred to by the gentleman from Louisiana in which he asked for a rule. But, it developed that prior to his letter he had introduced on the preceding day, namely, on May 23, before any request from anybody from the committee, this gag resolution to which I have previously referred. And, as I said before, having chosen his bed, why, naturally, the Committee on Rules permitted him to recline on it. We did not think it was up to us to direct his motives of how he wanted to proceed. He chose his method of procedure; we did not.

Mr. Speaker, I ask unanimous consent to insert at this point in the RECORD, House Resolution 537, which is the gag resolution to which I previously referred.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

The resolution is as follows:

Resolved, That upon the adoption of this resolution, the Speaker shall recognize Representative JAMES H. MORRISON, or Representative JOHN R. FOLEY, or Representative JOEL T. BROYHILL, to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 9883) to adjust the rates of basic compensation of certain officers and employees of the Federal Government, and for other purposes, and all points of order against said bill are hereby waived. After general debate, which shall be confined to the bill and continue not to exceed two hours to be equally divided and controlled by the Member of the House requesting the rule for consideration of said H.R. 9883, and a Member who is opposed to said bill to be designated by the Speaker; the bill shall be considered as having been read for amendment. No amendment shall be in order to said bill except those offered by direction of the Committee on Post Office and Civil Service. Amendments offered by direction of Committee on Post Office and Civil Service may be offered to any part of the bill but shall not be subject to amendment. At the conclusion of such considera-

tion, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. This special order shall be a continuing order until the bill is finally disposed of.

Mr. PUCINSKI. Mr. Speaker, will the gentleman yield?

Mr. O'HARA of Illinois. I am happy to yield to my beloved colleague from Illinois.

Mr. PUCINSKI. Mr. Speaker, I believe the distinguished gentleman from Illinois [Mr. O'HARA] deserves a great deal of commendation for taking the special order today, and in that way permitting the House to remain in session in order to allow those who want to bring this action to the floor the opportunity to be heard and allow the Congress to work its will. I think the gentleman has certainly, with the special order today, given us a great deal of opportunity to discuss this legislation, and I commend him for it. The fact that we have picked up a considerable number of signatures during the period of his special order brings this legislation just that much closer to letting the Congress work its will. I certainly want to commend the gentleman for his presentation and taking today's special order to make this possible.

Mr. O'HARA of Illinois. I am very appreciative of the comments of my colleague from Illinois.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. O'HARA of Illinois. I yield.

Mr. GROSS. The only trouble is that the discharge petition prohibits the Congress, or the House, at least, from working its will on this bill. That is my quarrel. Certainly the discharge petition conforms to the rules of the House, and certainly it has been used and used in the past, but my quarrel with this is that it imposes a gag rule on the House of Representatives which I say is wholly unnecessary.

Mr. O'HARA of Illinois. I appreciate the comments of the gentleman from Iowa.

Mr. Speaker, we must be realistic. This is the last opportunity we will have for legislation in this field in this session. We anticipate getting out of here in a very few weeks. Unless this discharge petition is signed—and I do not know, but I think some of my colleagues made remarks that it is only lacking six signatures; I do not know; that is merely the report that I get—but, if that be the number, it is a matter now of getting six more Members of this body to sign the petition or to abandon all hope of giving relief to these postal and other Federal workers. I trust that those who have not signed will re-examine their conscience. If they think that they should not sign, and that is their sincere conviction, no one can question. But, if for reasons not of conviction they are refraining from signing, while believing that this is needed and justified legislation, I trust they will re-examine their conscience.

Mr. Speaker, I wish now to speak on another subject. I received, and I assume all my colleagues received, a notice from the Department of Health, Education, and Welfare on scholarships granted to promote the teaching of languages. I was delighted to find in the list of those granted the scholarships three from my district. I wish to take this occasion to mention their names, because I think it reflects a great credit and honor upon a congressional district to have resident in that district three young persons dedicated to scholarship and in a field where it is now most needed—in languages.

One, Mr. Speaker, is Mr. Lawrence D. Kessler, living at 1314 East Hyde Park in the city of Chicago. He has a scholarship in Chinese and he will take a course at the University of Chicago.

Mr. Paul R. Brass, living at 5421 South Woodlawn Avenue, in the city of Chicago, who has a scholarship in Hindi and will take his course at the University of Chicago.

The other is Mrs. Lynn Solotaroff, living at 1212 East 54th Street in the city of Chicago. She will take a course in Russian and her course will be taken at the University of Chicago.

All told there are some 434 awards that have been made. These are young people who will attend universities and be especially trained in the teaching of languages. And that is certainly a field of education in which we should have an intensified effort.

Mr. PILLION. Mr. Speaker, will the gentleman yield?

Mr. O'HARA of Illinois. I am very happy to yield to my colleague.

Mr. PILLION. With reference to the pay raise discharge petition I understand that the present deficit in the Post Office Department is running about \$600 million per year. The cost of the pay raise contemplated in the petition will add another \$600 million to that deficit making a total annual deficit for that department of \$1.2 billion a year, which is by far the greatest deficit that that department has ever had.

I think the gentleman referred to an examination of conscience. I might ask, after examining one's conscience and one's heart and one's mind, does the gentleman now believe that this Congress should abandon the idea that those who use the Post Office Department should pay for it, that we should abandon the pay-as-you-go theory in the Post Office Department?

Or may I ask whether or not the gentlemen who signed this petition are ready and willing to vote for the increased postal rates, vote perhaps a reduction in personal exemption on the income tax of \$100 in order to make up this deficit? Or do they want to increase the deficit of the Post Office Department, without regard to the overall budget?

Mr. O'HARA of Illinois. When it comes to human needs, I have never found my remedy in a book of arithmetic.

Mr. HOLIFIELD. Mr. Speaker, will the gentleman yield?

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Mr. O'HARA of Illinois. I yield to the gentleman from California.

Mr. HOLIFIELD. I should like to respond to the gentleman's inquiry. In the first place, the Post Office Department has never been set up on the basis of paying its own way any more than the Agriculture Department or the Defense Department. It has never been set up on a basis of cash balance of income from services rendered and the cost of the services that are rendered. This concept of course has never been attained even under the present administration. They have raised the cost to first-class mailers, when the first-class letters were already paying their way and bringing an \$80 million profit into the Treasury. In order to so-called balance the budget they have increased the rates on the ordinary users of the mails throughout the country. As a matter of fact, there is only one section of the Post Office service that under the statute has to pay for itself, and that is the parcel post.

CALL OF THE HOUSE

Mr. CONTE. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER pro tempore (Mr. ALBERT). Obviously a quorum is not present.

Mr. McCORMACK. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

Mr. HOFFMAN of Michigan. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. HOFFMAN of Michigan. Is a motion to adjourn in order?

The SPEAKER pro tempore. Not now. The Chair will advise that a call of the House has been ordered.

Mr. HOFFMAN of Michigan. Can a member of the minority—

The regular order was demanded.

The SPEAKER pro tempore. The regular order is demanded. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 119]

Abbutt	Chamberlain	Forand
Alford	Clark	Frelinghuysen
Allen	Coad	Fulton
Anderson,	Coffin	Gallagher
Mont.	Cook	Garmatz
Anfuso	Cooley	Gary
Arends	Curtis, Mass.	Gilbert
Ashley	Curtis, Mo.	Gray
Ashmore	Davis, Ga.	Green, Pa.
Auchincloss	Davis, Tenn.	Griffiths
Ayres	Dawson	Gubser
Bailey	Delaney	Halleck
Baker	Dent	Hardy
Barden	Derounian	Harmon
Baring	Derwinski	Hays
Barrett	Diggs	Healey
Bass, N.H.	Dingell	Hébert
Becker	Dorn, N.Y.	Herlong
Bolling	Downing	Hess
Bolton	Doyle	Hoffman, Ill.
Bosch	Duiski	Holland
Bowles	Durham	Holt
Brewster	Dwyer	Holtzman
Brown, Mo.	Edmondson	Jackson
Buckley	Fallon	Jarman
Burdick	Farbstein	Jones, Ala.
Byrne, Pa.	Fino	Kasam
Cahill	Fisher	Keith
Canfield	Flood	Kelly
Carnahan	Flynn	Keogh
Celler	Fogarty	Kilburn

King, Utah
Kirwan
Kitchin
Kluczynski
Lafore
Lane
Lankford
Libonati
Lindsay
McDonough
McDowell
McIntire
McMillan
Macdonald
Machrowicz
Madden
Matthews
May
Meador
Metcalfe
Miller, Clem
Miller,
George P.
Miller, N. Y.
Monagan
Montoya
Moore
Morgan

Morris, N. Mex.
Morris, Okla.
Muller
Nelsen
Nix
O'Brien, N.Y.
O'Neill
Passman
Felly
Plost
Pilcher
Poage
Powell
Price
Prokop
Quile
Riley
Rogers, Mass.
Rooney
Rostenkowski
Santangelo
Saund
Schneebeli
Shelley
Sheppard
Sikes
Spence
Springer

Staggers
Steed
Stubblefield
Taylor
Teller
Thompson, N.J.
Thornberry
Toll
Tuck
Udall
Van Pelt
Van Zandt
Wainwright
Wampler
Wels
Westland
Wharton
Whitten
Williams
Willis
Wilson
Winstead
Withrow
Yates
Young
Zelenko

Berry
Bonner
Bow
Boykin
Brock
Brooks, Tex.
Brown, Ga.
Brown, Ohio
Budge
Burleson
Byrnes, Wis.
Cannon
Cederberg
Chiperfield
Dague
Devine
Dixon
Elliott, Pa.
Everett
Fenton
Fisher
Ford
Fountain

Frelinghuysen
Gathings
George
Gross
Haley
Hargis
Harrison
Henderson
Hiestand
Hoffman, Mich.
Huddleston
Hull
Johansen
Jonas
Jones, Mo.
Laird
Latta
McCulloch
McSween
Maillard
Mason
Mulliken
Mumma

Murray
Norblad
Norrell
O'Konski
Pillion
Ponge
Poff
Reece, Tenn.
Rees, Kans.
Rhodes, Ariz.
St. George
Scherer
Schwengel
Short
Siler
Simpson
Smith, Kans.
Smith, Miss.
Smith, Va.
Taber
Thomson, Wyo.
Vinson

NAYS—194

Addonizio
Albert
Alexander
Andersen,
Minn.
Aspinall
Bailey
Baldwin
Baring
Barr
Barry
Bass, Tenn.
Bates
Beckworth
Bennett, Fla.
Betts
Blatnik
Blitch
Boland
Brademas
Bray
Breeding
Brooks, La.
Broomfield
Broyhill
Burke, Ky.
Burke, Mass.
Casey
Chelf
Chenoweth
Church
Clark
Cohelan
Collier
Colmer
Conte
Cooley
Corbett
Cramer
Cunningham
Curtin
Curtis, Mass.
Daddario
Daniels
Davis, Tenn.
Denton
Dingell
Donohue
Dooley
Dorn, S.C.
Dowdy
Dwyer
Elliott, Ala.
Feighan
Flynt
Foley
Forrester
Frazier
Friedel
Gallagher
Gavin
Gialmo
Glenn
Goodell
Granahan
Grant

Green, Oreg.
Griffin
Hagen
Halpern
Harris
Hechler
Hemphill
Hoever
Hogan
Hollifield
Horan
Ikard
Inouye
Irwin
Jennings
Jensen
Johnson, Calif.
Johnson, Colo.
Johnson, Md.
Johnson, Wis.
Judd
Karsten
Karth
Kastenmeier
Kearns
Kee
Kilday
Kilgore
King, Calif.
Kirwan
Kluczynski
Knox
Kowalski
Kyl
Landrum
Langen
Lennon
Lesinski
Levering
Lipscomb
Loser
McCormack
McFall
McGovern
McMillan
Macdonald
Mack
Magnuson
Mahon
Marshall
Martin
Merrow
Meyer
Michel
Mills
Minshall
Mitchell
Moeller
Moorhead
Morrison
Moss
Moulder
Murphy
Natcher
O'Brien, Ill.
O'Hara, Ill.

The SPEAKER pro tempore. On this rollcall 258 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

Mr. O'HARA of Illinois. Mr. Speaker, I am moved to observe that there are occasions when quorum calls are proper. Each rollcall on occasion—and I am not being specific—returns a definite profit.

I am very happy that we have had a number of them this afternoon. I understand that the gentleman from California [Mr. HOLIFIELD] has a message for his colleagues. He is going to make a great speech and because of my love for him and my eagerness to listen to his speech I yield back the remainder of my time.

Mr. JONES of Missouri. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. JONES of Missouri. Mr. Speaker, is a motion to adjourn in order at this time?

The SPEAKER. If the gentleman yields for that purpose.

Mr. JONES of Missouri. The gentleman has relinquished the floor.

The SPEAKER. Such a motion would be in order.

Mr. JONES of Missouri. Mr. Speaker, I move that the House do now adjourn.

Mr. FLYNT. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. FLYNT. Mr. Speaker, I certainly have no intention of asking for any unusual procedure or to offer any dilatory motions, but if there is not a quorum present I intend to ask for a rollcall on the ground that a quorum is not present. I have a special order, and I request opportunity to be allowed to use it.

The SPEAKER. The question is on the motion to adjourn.

Mr. FLYNT. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered. The question was taken; and there were—yeas 77, nays 194, not voting 160.

[Roll No. 120]

YEAS—77

Abernethy
Adair
Alger

Andrews
Avery
Bass, N.H.

Belcher
Bennett, Mich.
Bentley

NOT VOTING—160

Abbutt
Alford
Allen
Anderson,
Mont.
Anfuso
Arends
Ashley
Ashmore
Auchincloss
Ayres
Baker

Barden
Barrett
Baumhart
Becker
Boggs
Bolling
Bolton
Bosch
Bowles
Brewster
Brown, Mo.
Buckley

Burdick
Byrne, Pa.
Cahill
Canfield
Carnahan
Celler
Chamberlain
Coad
Coffin
Cook
Curtis, Mo.
Davis, Ga.

Dawson	Jackson	Pfost
Delaney	Jarman	Plicher
Dent	Jones, Ala.	Powell
Derounian	Kasem	Price
Derwinski	Keith	Prokop
Diggs	Kelly	Quile
Dorn, N.Y.	Keogh	Riley
Downing	Kilburn	Rogers, Mass.
Doyle	King, Utah	Rostenkowski
Dulski	Kitchin	Santangelo
Durham	Lafore	Saund
Edmondson	Lane	Schneebell
Evins	Lankford	Shelley
Fallon	Libonati	Sheppard
Farbstern	Lindsay	Sikes
Fascell	McDonough	Spence
Fino	McDowell	Springer
Flood	McKinley	Staggers
Flynn	McIntire	Steed
Fogarty	Machrowicz	Stubblefield
Forand	Madden	Taylor
Fulton	Matthews	Teller
Garmatz	May	Thompson, N.J.
Gary	Meader	Toll
Gilbert	Metcalfe	Tuck
Gray	Miller, Clem	Udall
Green, Pa.	Miller,	Van Felt
Griffiths	George P.	Van Zandt
Gubser	Miller, N.Y.	Wainwright
Halleck	Monagan	Wampler
Hardy	Montoya	Westland
Harmon	Moore	Wharton
Hays	Morgan	Whitten
Healey	Morris, N. Mex.	Widnall
Hébert	Morris, Okla.	Williams
Herlong	Multer	Willis
Hess	Nelsen	Wilson
Hoffman, Ill.	Nix	Winstead
Holland	O'Brien, N.Y.	Withrow
Holt	O'Neill	Yates
Holtzman	Passman	Young
Hosmer	Pelly	Zelenko

So the motion to adjourn was rejected.

Mr. COOLEY changed his vote from "yea" to "nay."

Mr. JENNINGS changed his vote from "yea" to "nay."

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

CHANGE IN THE PATENT LAWS

The SPEAKER. Under previous order of the House, the gentleman from California [Mr. HOLIFIELD] is recognized for 60 minutes.

Mr. KEARNS. Mr. Speaker, will the gentleman yield?

Mr. HOLIFIELD. I yield to the gentleman from Pennsylvania.

Mr. KEARNS. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. The roll was called only 1 minute ago and a quorum was present. A quorum is present.

The gentleman from California.

Mr. HOLIFIELD. Mr. Speaker, first I would like to say that I had nothing to do with the various quorum calls, nor was I aware of the reason for the quorum calls. Yesterday when I secured this time I secured it as the result of an address which was made by my colleague the gentleman from Georgia [Mr. MITCHELL] on the subject of patents. I secured the time in order that I might talk a certain length of time and respond to questions on this particular point.

My interest in this is of course in view of the fact that on next Wednesday there will be before the House a bill from the Space Committee for consideration, in which the National Aeronautics and Space Agency requests that the present law in regard to patent provisions be changed. The present law in the Space

Act is not identical, but it is similar to the Atomic Energy Act. I think I might explain that at this time. I believe it is an important matter. I think many millions, possibly hundreds of millions of dollars are involved in this question. The Defense Act does not specifically say that the Defense Department has to grant to its contractors patent rights under the contracts which they enter into. However, the policy of the Defense Department has been that wherever Government research and development funds are concerned the Defense Department, as a matter of policy, gives to the contractor the right to file on patents under the contract. There is a requirement that the Government have the use of those patents. This means that if the Government engages in the manufacture of an article that a contractor has a patent on, and that patent having been secured under a defense contract by the expenditure of tax funds, the Government has the right to use that patent. This is as it should be. But this does not protect fully the benefits from expenditure of public tax funds.

I would like to say I am not against the American patent system. I am down here fighting for what I believe to be the real principle behind the American patent system.

That principle is this: If an individual spends money for research and development of any kind of patentable device, technique, or formula, then that individual is entitled to a patent on that particular device, technique, or formula. I maintain that there is no substantial difference in equity between an individual spending his money and obtaining a patent, and the Government spending its money and obtaining a patent. The Government should have access to that patent and should have ownership of that patent.

What is the point of equity involved? In the first place, the tax moneys of the people of the United States are spent in research and development. Corporation A has a contract. Corporations B, C, D, E, and F, and all the rest of the corporations in America are excluded from participation in that particular contract. Under that contract the contractor is paid for his work, is paid a fair sum for the work he does.

The question then arises: Should he be given an additional windfall which discriminates against all the rest of American industry?

It is well known that the Government of the United States is spending about \$8 billion a year in research and development; we are spending it with contractors. Under the very nature of things, because we are engaged in building airplanes, battleships, and other large facilities and objects, we deal with a limited number of corporations in comparison to all of the corporations in the country. Let us assume there are five corporations that bid on a contract for research and development. One corporation gets a contract of \$1 million from the Government for research and development. During the course of this research and development which is paid for out of tax moneys, corporation A ob-

tains knowledge that enables it to file a patent. Corporations B, C, D, and E are excluded. If corporation A is given the right to patent then corporations B, C, D, and E are excluded. What do I advocate? Let us take the Atomic Energy Act. We realized we were going into a new science just as we are going into a new science in the development of space vehicles, and so because we were spending hundreds of millions, and even billions of dollars on research and development and the Government was paying for the research and development we said in the formulation that any of the patentable devices developed by public funds, should be available to all of American industry.

This atomic energy treatment of patents has been successful.

First. The science has been developed at an unusually rapid rate.

Second. All of American industry has benefited from every tax funded development.

Third. The public interest has been protected.

CALL OF THE HOUSE

Mr. HOFFMAN of Michigan. Mr. Speaker, I make the point of order that a quorum is not present.

Mr. HOLIFIELD. I hope the gentleman will withhold his point of order for a minute.

Mr. HOFFMAN of Michigan. The gentleman is making a very, very important talk regarding the entire realm of patents.

Mr. HOLIFIELD. As a personal request to the gentleman, will he not withhold his point of order?

The SPEAKER pro tempore (Mr. WALTER). Does the gentleman insist on his point of order?

Mr. HOFFMAN of Michigan. Yes, Mr. Speaker.

The SPEAKER pro tempore. The Chair will count. Evidently a quorum is not present.

Mr. RAYBURN. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll and the following Members failed to answer to their names:

[Roll No. 121]

Abbitt	Celler	Frazier
Alford	Chamberlain	Fulton
Alger	Coad	Gallagher
Allen	Coffin	Garmatz
Anderson,	Cook	Gary
Mont.	Curtis, Mass.	Gavin
Anfuso	Curtis, Mo.	Gilbert
Arends	Daddario	Gray
Ashley	Davis, Ga.	Green, Pa.
Ashmore	Davis, Tenn.	Griffiths
Auchincloss	Delaney	Gubser
Ayres	Dent	Halleck
Baker	Derounian	Hardy
Barden	Derwinski	Hays
Barrett	Diggs	Healey
Becker	Dooley	Hébert
Belcher	Dorn, N.Y.	Hemphill
Boggs	Downing	Herlong
Bolling	Doyle	Hess
Bolton	Dulski	Hoffman, Ill.
Bosch	Durham	Holland
Bowles	Edmondson	Holt
Brewster	Fallon	Holtzman
Brown, Mo.	Farbstern	Hosmer
Buckley	Fascell	Irwin
Burdick	Fino	Jackson
Byrne, Pa.	Flood	Jarman
Cahill	Flynn	Jones, Ala.
Canfield	Fogarty	Kasem
Carnahan	Forand	Keith